

# Board of Trustees

## Ventura County Community College District

<p><b>MINUTES FOR THE MEETING OF OCTOBER 9, 2001</b></p>
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The regular meeting of the Board of Trustees of the Ventura County Community College District was held on Tuesday, October 9, 2001, in the City of Camarillo Council Chambers, Camarillo, California.

### **Roll Call**

#### **Board Members Present:**

Robert S. Gonzales, President  
Norman J. Nagel, Vice-President  
Arturo D. Hernández  
Allan W. Jacobs  
John D. Tallman  
Becky Lawson, Student Trustee

#### **Management Present:**

Philip Westin, Chancellor  
Michael Gregoryk, Deputy Chancellor  
John Matulich, Interim Vice Chancellor, Human Resources  
James Walker, President, Moorpark College  
Tom Harris, Jr., Interim President, Oxnard College  
Joan Smith, Dean of Business Industry and Technology for Larry Calderón, President, Ventura College  
Jack Lipton, General Counsel  
Anthony Tricoli, Executive Vice President, Oxnard College  
Dennis Cabral, Associate Vice Chancellor, Student Learning  
Sue Johnson, Assistant Vice Chancellor, Business Services and Financial Management  
Patricia Kistler, Director of Governmental and Public Affairs  
Patricia Parham, Director of Personnel, Office of Personnel Commission and CMA President

#### **Faculty/Staff/Student Representatives:**

Charlene Arnold, Moorpark College Academic Senate President  
Mary Jones, Oxnard College Academic Senate President  
Richard Goff, Ventura College Academic Senate President  
Larry Miller, AFT President  
Kathy Colborn, Classified Supervisors' Representative  
Lissette Sotelo, Director of External Affairs, Moorpark College  
Albert Mendez, President, Oxnard College Associated Student Government  
Fenix Pleitez, President, Ventura College Associated Student Government

CALL TO ORDER

Vice President Nagel called the meeting to order in the City of Camarillo Council Chambers at 5:00 p.m.

PUBLIC COMMENTS REGARDING CLOSED SESSION AGENDA ITEMS

There were no requests to speak.

RECESS TO CLOSED SESSION

The Board of Trustees recessed to Closed Session at 5:05 p.m. in the City of Camarillo conference room to address the following items.

**Chancellor's Report on Public Employee Performance Discipline/Evaluation**

**Pending Litigation [Gov't Code §54956(a)]**

- ***AFT vs. VCCCD (Paula Muñoz reassignment)***
- ***AFT vs. VCCCD (Paula Muñoz union discrimination)***
- ***AFT vs. VCCCD (Paula Muñoz evaluation)***
- ***AFT vs. VCCCD (Paula Muñoz summer assignment)***
- ***AFT vs. VCCCD (Muñoz/Carrasco/Suel tenure review participation)***
- ***Muñoz vs. VCCCD (Superior Court)***
- ***AFT vs. VCCCD (work experience)***
- ***AFT vs. VCCCD (Ventura County Sheriff Academy)***
- ***AFT vs. VCCCD (del Aguila)***
- ***Herrera vs. VCCCD***
- ***Castillo vs. VCCCD***
- ***Donaldson vs. VCCCD***
- ***Matsui vs. VCCCD***
- ***Reeves vs. VCCCD***
- ***Goldberg vs. VCCCD***

**Threatened Litigation [Gov't Code §54956(b)]**

**Possible Initiation of Litigation [Gov't Code §54956.9(c)]**

RECONVENE IN OPEN SESSION

President Gonzales reconvened the meeting in Open Session at 7:00 p.m. in the City of Camarillo Council Chambers.

PLEDGE TO THE FLAG

President Gonzales led the pledge to the flag.

## CLOSED SESSION REPORT

Chancellor Westin read the following Closed Session report:

He indicated that President Gonzales was not present at the Closed Session due to delay in travel.

**Pending Litigation [Gov't. Code §54956(a)]**

**In the case of *William Donaldson vs. Ventura County Community College District, Claim for Personal Injury*, the Board voted 4-0, with President Gonzales absent, to deny the claim.**

**In the case of *Paula Muñoz vs. Ventura County Community College District*, Ventura County Superior Court Case No. CIV206043, the Board voted 4-0, with President Gonzales absent, to defend the District, Philip Westin, and Larry Calderón in the litigation.**

**In the case of *Beatriz Herrera vs. Ventura County Community College District*, EEOC Case #340A12956, the Board voted 4-0, with President Gonzales absent, to respond to the Complaint of Discrimination.**

**In the case of *Ronald Goldberg vs. Ventura County Community College District*, Ventura County Superior Court Case No. SC030422, the Board voted 3-0, with Trustee Jacobs abstaining and President Gonzales absent, to respond to the Complaint.**

## ACKNOWLEDGEMENT OF GUESTS &amp; SPECIAL RECOGNITIONS

President Gonzales welcomed Pete Tafoya. Trustee Jacobs read and presented Mr. Tafoya with a Resolution to recognize him for the years of leadership and hands-on dedication he has given to the Ventura County Community College District, its students, faculty, and staff. Trustee Jacobs stated this was a well-deserved recognition. Mr. Tafoya thanked the Board and the citizens of Ventura County for this great honor. He briefly explained his experience at the Pentagon during the terrorist attack and described his upcoming duties at the Office of Secretary of Defense.

Chancellor Westin introduced Dr. Tom Harris, the new Interim President of Oxnard College, John Matulich, Interim Vice Chancellor, Human Resources, and Dr. Joan Smith sitting in as Acting President of Ventura College.

## PUBLIC NOTICE OF CHANGES TO THE AGENDA

*Minutes*

- 2.1 **Action to Approve Minutes of the Regular Meeting of the Board of Trustees for September 18, 2001**, was revised to change the name of Senator Jack O'Connell to Senator Tom McClintock as the dissenting vote on Senate Bill 735.

## *Human Resources*

### **5.1 Abolishment/Establishment of Positions**

#### **5.1.1 Abolishment of Position – Moorpark College**

**Establishment of Position – Moorpark College** was revised to change the effective date of the abolishment of the Clerical Assistant II position from October 10, 2001, to November 15, 2001.

## *Business Services*

### **6.3 Purchase Orders**

**6.3.1 Approval/Ratification of Board Purchase Order Report #5.** This item was revised to include additional purchase orders.

### **6.4 Award of Bids**

**6.4.1 Award of Bid to Lowest Responsible Bidder for Project #39079: Annex Building Remodel for the Braille Institute at Ventura College** was revised to include the name of Bottenfield Construction, the lowest responsible bidder.

**6.4.2 Award of Bid to Lowest Responsible Bidder for Project #39402: Exterior Painting of Large Gym At Ventura College** was revised to include the name of Astro Painting Company, Inc., the lowest responsible bidder.

## OPEN PUBLIC HEARING

- **Intent to Enter into Energy Service Contract**

At 7:20 p.m. President Gonzales opened the Public Hearing to discuss the Energy Service Contract with Siemens Building Technologies Inc., and to obtain comments regarding the District's intent to enter into an Energy Service Contract pursuant to provisions of California *Government Code* Section 4217.12.

## PUBLIC HEARING COMMENTS

It was pointed out that the funding available through Senate Bill 735 would be \$724,000. Michael Gregoryk said that the Board Subcommittee on Construction Projects had reviewed the project. He pointed out that if the District doesn't get the Scheduled Maintenance from the State, the project would still go forward with the \$4.2 million portion. Trustee Nagel expressed his support of the project. He recommended that the Board approve the item.

## CLOSE PUBLIC HEARING

At 7:25 p.m. President Gonzales closed the Public Hearing.

## *Action Items*

2. **Authorize the Chancellor to Award a Contract with Siemens Building Technologies for the Districtwide Energy Conservation Program and Adopt Resolution if Funding is Available Through Senate Bill 735** was moved by Trustee Jacobs, seconded by Trustee Tallman, and carried on a unanimous vote, to authorize the Chancellor to award a contract with Siemens Building Technologies for the District Wide Energy Conservation Program and to adopt the Resolution Approving Certain Energy Conservation Measures Authorizing the Execution of Agreements, Signatories and Making Other Determinations in Connection Therewith, if funding is available through Senate Bill 735. (Lawson – yes)

#### PUBLIC COMMENTS REGARDING AGENDIZED ITEMS

There were no requests to speak.

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### *Consent Calendar Items*

It was moved by Trustee Nagel, seconded by Trustee Hernández, and carried on a unanimous vote, to approve the following Consent Calendar Items: (Lawson - yes)

#### *Approval of Minutes*

- 2.1 **Action to Approve Minutes of the Regular Meeting of the Board of Trustees for September 18, 2001** was granted.

#### *Student Learning*

- 3.1 **Second Reading: Course Approvals: New Courses – Ventura College** were approved.
- 4.1 **Mid-Term Accreditation Report – Oxnard College** was approved to be submitted to the Accrediting Commission for Community and Junior Colleges, Western Association of Schools and Colleges.

#### *Human Resources*

- 5.1 **Abolishment/Establishment of Positions**
  - 5.1.1 **Abolishment of Position – Moorpark College and Establishment of Position – Moorpark College** was granted to abolish a classified position of Clerical Assistant II, PCN #MCU134, Moorpark College, effective November 15, 2001 and to establish a classified position of Administrative Assistant II, PCN #MCU413, Moorpark College, effective October 10, 2001.

- 5.1.2 Establishment of Position – Oxnard College** was approved to establish a classified position of International Trade Specialist, PCN #XCU301, Oxnard College, effective October 10, 2001.
- 5.1.3 Abolishment of Position – Ventura College and Establishment of Position – Ventura College** was approved to abolish a classified position of Administrative Assistant III, PCN #VCU023, Ventura College, effective October 10, 2001, and to establish a classified position of Administrative Assistant II, PCN #VCU435, Ventura College, effective October 10, 2001.
- 5.2 Academic Actions**
- 5.2.1 Acceptance of Resignation of Full-time Temporary Academic Personnel – Moorpark College** was granted to accept the resignation of Margaret Tennant, Cal WORKS Specialist (temporary full-time grant-funded position) at Moorpark College, effective August 31, 2001.
- 5.2.2 Acceptance of Resignation/Retirement – Full-time Academic Personnel – Ventura College** was granted to accept the retirement of Betty True, a full-time Instructor at Ventura College, effective February 6, 2002.

### *Business Services*

- 6.2 Checks**
- 6.2.1 Ratification of Accounts Payable and Payroll for the Period of August 27, 2001 - September 13, 2001** was granted for the period of August 27, 2001 - September 13, 2001.
- 6.3 Purchase Orders**
- 6.3.1 Approval/Ratification of Board Purchase Order Report #5** was granted for the period of August 25, 2001 - September 14, 2001.
- 6.4 Award of Bids**
- 6.4.1 Award of Bid to Lowest Responsible Bidder for Project #39079: Annex Building Remodel for the Braille Institute at Ventura College** was approved to award a contract to Bottenfield Construction, the lowest responsible bidder for Project #39079: Annex Building remodel for the Braille Institute at Ventura College.
- 6.4.2 Award of Bid to Lowest Responsible Bidder for Project #39402: Exterior Painting of Large Gym At Ventura College** was approved to authorize management to execute the contract with Astro Painting Company Inc., the lowest responsible bidder for Project #39402: Exterior Painting of Large Gym at Ventura College.
- 6.5 Budget Amendments**
- 6.5.1 Approval of Contract/Grant and Categorical Amendments - General Fund Restricted** was granted to accept amendments to existing contracts, grants and categorical programs for FY 2001-2002.

**6.7 Contracts**

**6.7.1 Approval of New 2001-2002 Contracts/Grants - General Fund Restricted** was granted to accept a new contract.

**6.8 Other**

**6.8.1 Acceptance of Annual Financial and Budget Report** was granted to accept the Annual Financial and Budget Report (CCFS-311) for the General Fund-Combined as required by law.

**6.8.2 Second Reading: Proposed Revision to Board Policy Manual Appendix D.1: Foundations** was approved.

*Trustees/Chancellor*

**7.1 Action to Approve Governing Board Member Absence.** No absences were reported.

**Action Items***Resolution*

- 1. Resolution to Acknowledge Pete E. Tafoya (1.1)** was moved by President Gonzales, seconded by Trustee Nagel, and carried on a unanimous vote, to recognize Pete E. Tafoya for the years of leadership and hands-on dedication he has given to the Ventura County Community College District, its students, faculty and staff. (Lawson - yes)

**Reports**

## STUDENT AND STAFF ORGANIZATIONS REPORTS

- Student Government representatives**

Lissette Sotelo reported that the Moorpark College Associated Student Government raised \$8,500 in disaster relief funds for the victims of the terrorist attacks in New York and Washington, D.C. She commented on scheduled events on campus to increase student involvement. Ms. Sotello said that members of the Associated Student Government would attend the CalSACC conference.

Fenix Pleitez reported that the students voted to support the Student Center fee at Ventura College. She said that members of the Associated Student Government (ASG) were going to the CalSACC conference. Ms. Pleitez announced that on October 18 the ASG would hold a *Transfer Day* co-sponsored by ASBC and that on October 31, the students would honor the

individuals who lost their lives in New York and Washington D.C. She invited the Board members to the ASG meetings that are held every Tuesday from 12:30 to 1:30 p.m.

- **Academic Senate representatives**

- ❖ Mary Jones reported on the Presidential Forum. Ms. Jones welcomed Tom Harris, the Interim President at Oxnard College. She said that *Campus Clean Up Day* was held on September 28 at Oxnard College and that Trustee Hernández, Trustee Jacobs and President Walker joined in. Ms. Jones thanked all who participated. She pointed out that all but one member of the original Presidential Search committee had agreed to start the process again.
- ❖ Richard Goff commented on the academic senate's concerns about recent disciplinary actions. He indicated that the senate discussed the bond issue and that the consensus was the bond measure was a good idea. Mr. Goff said that their major concern was that they did not have enough time for input even though they agreed with all the items on the list. He reported that the senate would be developing a pamphlet on dealing with crisis intervention for students and staff. Mr. Goff invited Board members, college and district administrators to attend their meetings. Mr. Goff said that the Academic Senate Committee on Committees would meet to discuss the senate committee structure.

President Gonzales commented on additional meetings that were being scheduled with the County Mental Health and Crisis Teams to increase intervention. He indicated that a task force was being developed and suggested that Richard Goff should be part of that task force. Mr. Goff indicated that the District has a number of individuals on staff, but that he would be happy to participate as well.

Trustee Tallman asked about the Board Policy Manual revision. Chancellor Westin provided an update on the timeline for the revision and indicated that the first two sections were scheduled for First Reading in December.

#### CHANCELLOR'S REPORT

- **Emergency Exemption to STRS - Oxnard College**

- ❖ **Interim Vice Chancellor, Human Resources - John Matulich**
  - Chancellor Westin reported on the emergency exemption for STRS for John Matulich who is the Interim Vice Chancellor, Human Resources.
- ❖ **Interim President, Oxnard College - Tom Harris, Jr.**
  - Chancellor Westin reported on the emergency exemption for STRS for Tom Harris, Jr., who is the Interim President, Oxnard College.
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- **Presidents' Reports**

- ❖ **Ventura College - Dr. Calderon's report** was postponed until November. Dr. Smith distributed the *President's Report* for Ventura College.
- ❖ **Moorpark College** - Dr. Walker announced that the annual Child Development *Discovery Day* and that the *Fifth Annual Community Ball* would be held on October 20.
- ❖ **Oxnard College** - Dr. Harris pointed out that the *President's Report* for Oxnard College was distributed.



- **Deputy Chancellor's Report**

- ❖ **Bond Consultant/Pollster** – Michael Gregoryk said that in a recent poll of Ventura County conducted by the District, the results indicated that the community colleges were highly regarded within Ventura County. He said that the poll indicated that there would be a 70 % approval rate for a \$270 million bond. Mr. Gregoryk indicated that John Fairbanks, the pollster, would attend the next meeting to provide the Board details of the poll. He said that the need was evident for improvements at all of our campuses and that this item would be placed on the agenda for the Board's approval for First Reading in November and Second Reading and approval in December in order to have it placed on the ballot for a March election.

Dr. Westin advised the Board that President Gonzales and Trustee Nagel had been involved in this process and that they had agreed to the polling. He pointed out that this was the first time any public comment had been discussed with the Board. Dr. Westin said that the District would obtain opinions from members of the college district community, academic senates, management association, unions, and various community groups.

Michael Gregoryk commented on an article in the *Los Angeles Times* regarding the Cal Grants. He pointed out that the figures in the paper were not wrong, but that they were misleading. Dennis Cabral explained the current system and the procedure. He pointed out that when processes are refined and more students are made aware of the number of grants, recipients should increase. Trustee Tallman asked Chancellor Westin to ensure that the District is providing the students as much assistance as possible in obtaining grants and asked Student Trustee Lawson to look into it as well.

Michael Gregoryk commented on the camaraderie of the Oxnard College students, staff and faculty at the Campus Cleanup.

## First Reading Items

- ❖ **Course Approvals: New Courses – Moorpark College** was accepted for Second Reading.
  - ❖ **Proposed Addition to Board Policy Manual Section C.13 Academic Renewal** was accepted for Second Reading. Trustees Nagel and Tallman discussed the need for the Academic Renewal.
  - ❖ **Redistricting of Boundary Lines for the Board of Trustees** was accepted for Second Reading.
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## Trustee Issues

- **Governing Board Subcommittee Reports**

Trustee Nagel stated that at the Board Construction Subcommittee meeting on September 25, 2001, the highlight of the meeting was the bond issue and the presentation by John Fairbanks with the opinion research. Trustee Nagel gave his full support to the bond initiative.

- **Trustee Issues**

- ❖ Trustee Jacobs asked if the District's redistricting matched up with the County School Board, but not the Board of Supervisors and was informed that was correct.
- ❖ Trustee Hernández complimented Michael Gregoryk and all those who organized the *Campus Cleanup Day* at Oxnard College. He expressed his disappointment regarding the Oxnard College presidential search and indicated that he would like to be involved in the next phase. Mr. Hernández welcomed Tom Harris to Oxnard College.
- ❖ President Gonzales welcomed John Matulich and Tom Harris in their interim roles.

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### PUBLIC COMMENTS REGARDING NON-AGENDIZED ITEMS

Gerald Levitt expressed his concerns about the disciplinary action taken against Beatriz Herrera and indicated that he did not agree with the decision to allow Chancellor Westin to have the authority to take such an action.

Patricia Navarro expressed her disappointment with the Board of Trustees for giving Chancellor Westin the responsibility to take disciplinary actions against faculty and urged the Board to resign.

Larry Miller advised the Board that AFT would do everything within its power to defend the recently disciplined Ventura College faculty members from unjust charges.

Yolee Lee read a letter to the *Ventura College Press* in support of Beatriz Herrera written by students.

Cecilia Espinoza read a prepared statement in Spanish. According to the translation, she expressed her support and confidence in Beatriz Herrera and the BVA Program at Ventura College. She advised the Board that she does not feel that the students were being justly represented.

### ADJOURNMENT

At 8:25 p.m., it was moved by Trustee Gonzales, seconded by Trustee Jacobs, and carried on a unanimous vote, to adjourn the meeting. (Lawson - yes)